



DEC 05 2005

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Altman et al *

Serial No. 10/780,811 *

Filed: February 18, 2004 *

For: ESP PERFORMANCE
OPTIMIZATION CONTROL *

Art Unit: 1724

Examiner: Mr. Richard L. Chiesa *

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ELECTION IN RESPONSE TO RESTRICTION
UNDER 35 U.S.C. §121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Action of November 4, 2005, applicant hereby elects:

Group I
Claims 1-13

REMARKS

The Examiner has requested election and restriction between Group I, namely claims 1-13; Group II, namely claims 14-19; Group III, namely claim 20; and Group IV, namely claims 21 and 22. Applicant provisionally elects to prosecute the claims of Group I and reserves the right to file a divisional application or take such other appropriate measures as deemed necessary to protect the inventions of Groups II, III and IV.